

Remarks

Status of Claims

Claims 1-9 were pending in this application at the time of the outstanding Office Action. Claim 9 is cancelled. Claims 1-8 are currently amended. New claim 10 is presented in this amendment for examination. Thus, claims 1-8 and 10 are pending for examination.

Rejections Under § 103

Claims 1-9 stand rejected under 35 U.S.C. § 103 as being unpatentable over Caveney et al., U.S. Patent No. 5,608,621. The Examiner's rejections are respectfully traversed.

Claim 1 has been amended to recite explicitly (1) the steps in the product repairing method to be executed if the replacement part necessary for the requested repair is in stock and (2) the steps in the product repairing method to be executed if the replacement part necessary for the requested repair is not in stock. In the latter situation, claim 1 recites "retrieving a plurality of users having previously purchased said replacement part by means of a computer storing a user data base accumulating transaction history information on members of said community of users[.]" Claim 1 further recites "selecting one of said plurality of users having previously purchased said replacement part, said selected user having quoted a price that does not exceed a ceiling quoted by said requesting user." Caveney neither discloses nor suggests the product repairing method which includes the above limitations.

As indicated in Applicant's prior reply dated March 29, 2004, in Caveney, a customer places an order for one or more parts in an inventory and the inventory is supplied with parts from a supply source (see Caveney, Fig. 2, reference nos. 200, 204, 214; column 5, lines 22-46). In supplying parts from the supply source, the inventory in Caveney does not retrieve, by means of a computer storing a user data base, "a plurality of users having previously purchased said replacement part." Furthermore, the inventory in Caveney does not select "one of said plurality of users having previously purchased said replacement part, said selected user having quoted a price that does not exceed a ceiling quoted by said requesting user." In contrast, Caveney column 5, lines 36-39 merely discloses placing orders of parts

“with a supply source, which contains a quantity of parts to resupply the inventory.” Caveney column 5, lines 39-42 discloses that, in response to the orders, the supply source supplies a number of units of the parts to the inventory and issues invoices to the computer system.

The amendments to Applicant’s claims are intended to more clearly distinguish applicant’s invention from the Caveney reference, which, as indicated above, fails to disclose the retrieval by means of a data base a plurality of users who have previously purchased the replacement part and the selection of one said plurality of users who have previously purchased the replacement part, said selected user having quoted a price that does not exceed a ceiling quoted by the requesting user.

In view of the amendments made hereto and the comments set forth above, it is submitted that the Patent and Trademark Office has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103.

The application is now believed to be in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

9-15-04

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